

**UPDATED INFORMATIVE DIGEST
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE PLANNING AND DEVELOPMENT

REGARDING THE CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

Summary of Existing Laws

Health and Safety Code, Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code, Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code, Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code, Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Health and Safety Code, Section 18928 authorizes state agencies to adopt the most recent edition of model code, as amended or proposed to amended by the agency, within one year of the publication date of that model code.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with Section 18901).

Summary of Existing Regulations

The OSHPD currently enforces California Code of Regulations, Title 24, Part 5, 2001 California Plumbing Code (CPC) which is based on the 2000 Uniform Plumbing Code (UPC) with California amendments. The OSHPD enforces Title 24 requirements related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. This proposal will modify existing regulations for these health facilities regarding the application of the code, lavatories in patient rooms, use of PEX-AL-PEX piping and condensate drain sizing. Also, nonsubstantive changes are being made for consistency with the 2003 UPC language and format.

Summary of Effect

This proposed action is to adopt the 2003 UPC to be incorporated by reference into the 2004 CPC and will carry forward the existing California amendments relating to the requirements for health facilities. This action is consistent with current statute.

Additionally, this proposal will amend the CPC to:

- Clarify that requirements for skilled nursing facility construction also apply to “distinct part” units included on a hospital license and units within hospital buildings.
- Add a footnote to Table 4-2 to clarify that lavatories located in a patient rooms and intensive care units must meet the same functional requirements as handwashing fixtures located at the nurse station. These fixtures will require hands-free type controls and a gooseneck faucet.

- Provide an exception prohibiting the use of PEX-AL-PEX for water distribution in health facilities. The use of PEX-AL-PEX piping will not be allowed for applications under OSHPD's jurisdiction.
- Repeal of the amendment regarding air conditioning condensate drain sizing. This amendment is no longer necessary because this requirement in 2003 UPC is consistent with the 2003 Uniform Mechanical Code.
- Other existing amendments are being repealed, modified or relocated to be consistent with the 2003 UPC language and format. These changes are nonsubstantive.

Policy Statement Overview

The intent of this proposal is to adopt the most recent model code requirements for plumbing systems, pursuant to Health and Safety Code Section 18928. The OSHPD is responsible for the development of regulations regarding the physical plant for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. When necessary, the Office is responsible for amending model code requirements for these health facilities. Additionally, Chapter 1 of the CPC contains language defining the scope of OSHPD's statutory authority. The proposed amendments will clarify the application of "OSHPD 1" and "OSHPD 2" requirements for skilled nursing facilities.

Comparable Federal Statute or Regulations

There are no comparable federal statute or regulations that address the requirements of this proposal.

Small Business Affect

The proposed regulations will not have impact on small business.